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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/693,386	10/27/2003	Matthew Wilczynski	BDPN-101

CONFIRMATION NO. 1198

## FORMALITIES LETTER



\*OC000000012395516\*

021272  
 MORLAND C FISCHER  
 2030 MAIN ST  
 SUITE 1050  
 IRVINE, CA 92614

Date Mailed: 04/20/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that only a single copy of each disc was provided. A duplicate copy of each compact disc must be provided on Compact Disc-Read Only Memory (CD-ROM) or a Compact Disc-Recordable (CD-R) media. Any replacement compact discs submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

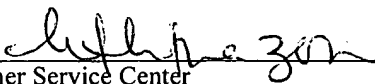
- The compact discs already submitted fail to comply with the labeling requirements of 37 CFR 1.52(e)(6) which requires each disc be labeled "Copy 1" and "Copy 2", respectively; and for replacement compact discs "COPY 1 REPLACEMENT MM/DD/YYYY" (with the month, day and year of creation indicated), and "COPY 2 REPLACEMENT MM/DD/YYYY". Any replacement compact discs submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set. Any new compact discs submitted must comply with the labeling requirements.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450

Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No. BDPN-101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Matthew Wilczynski, et al.	)	
Serial No.:	10/693,368	)	GROUP ART UNIT: 3625
Filing Date:	October 27, 2003	)	EXAMINER: Unknown
Title:	VOICE ENABLED INTERACTIVE ON-LINE AUCTION SYSTEM	)	

**REPLY TO NOTICE OF MISSING PARTS**

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Notice of Missing Parts dated April 20, 2004, the applicants in the above-identified patent application are unable to locate a true copy of the compact disc that was filed with this application on October 27, 2003. Consequently, the applicants are unable to provide a pair of duplicate compact discs which comply with the labeling requirements of 37 C.F.R. 1.52(e)(6). It is therefore requested that the original disc be returned to the applicant for duplication. If the original disc cannot be returned, then it is requested that the original compact disc be withdrawn from this application.

In this regard, it is pointed out that the original compact disc submitted on April 20, 2004 merely provided an example of a software implementation of the applicant's application system 130 that is shown and described in this patent application. However, the details of said application system 130 have been fully disclosed, and the information contained in the original compact disc is not necessary to enable one of reasonable skill to understand and appreciate the applicant's claimed

invention. Therefore, it is submitted that neither the scope nor the content of this application will be effected by a withdrawal of the original compact disc.

Please charge any fee due for making this Reply to the Notice of Missing Parts to Deposit Account No. 08-1310. A Request for a One Month Extension of Time is attached whereby to extend the deadline for responding to the Notice of Missing Parts to July 20, 2004.

Respectfully submitted,



Morland C. Fischer  
Attorney for the applicants  
2080 Main Street, Suite 1050  
Irvine, California 92614  
Telephone: (949) 476-0600  
Facsimile: (949) 476-0606

July 16, 2004

Dated



**CERTIFICATE OF MAILING**

I, Paulette A. Fritz, do hereby certify that the foregoing documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: **Mail Stop: Missing Parts**, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on this date of July 16, 2004.

Name Printed: Paulette A. Fritz

Signature: *Paulette A. Fritz*

Date of Deposit: *July 16, 2004*